

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**ORIGINAL**

Before The Honorable YVONNE GONZALEZ ROGERS, Judge

IN RE: SOCIAL MEDIA	)	<b>Further Case Management</b>
ADOLESCENT ADDICTION/	)	<b>Conference</b>
PERSONAL INJURY PRODUCTS	)	
LIABILITY LITIGATION	)	NO. C 22-03047 YGR
	)	
	)	
ALL ACTIONS	)	Pages 1 - 30
	)	
	)	Oakland, California
		Friday, January 17, 2025

**REPORTER'S TRANSCRIPT OF PROCEEDINGS**

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(Appearances continued next page)

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1 Friday, January 17, 2025

9:00 a.m.

2 P R O C E E D I N G S

3 --oo--

4

5 **THE CLERK:** Your Honor, we're calling MDL 22-03047 In  
6 Re: Social Media Adolescent Addiction, slash, Personal Jury  
7 Products Liability litigation.

8 Please step forward and state your appearances for the  
9 record, please.

10 **THE COURT:** Okay. Nikki, I didn't hear that last  
11 part, but what we do is we just docket --

12 **THE CLERK:** Okay.

13 **THE COURT:** -- the list so that we don't spend any  
14 time --

15 **THE CLERK:** Perfect.

16 **THE COURT:** -- having everybody make individual  
17 appearances.

18 As you come to the mic, if you'll please remember to  
19 restate your name for the record.

20 Okay. We had a debate in chambers about whether it's  
21 still okay to say "Happy New Year." I'm going to say "Happy  
22 New Year." I usually do -- like, for me, cut off is MLK Day.

23 (Laughter.)

24 **THE COURT:** So Happy New Year.

25 Appreciate your indulgent last month in terms of moving

1       that CMC. I reviewed your case management order. And it  
2       seems as if things will go relatively quickly today. But  
3       let's just get started from the top.

4           So I have and I did receive an email from Judge Kuhl,  
5       who's doing an incredible job, especially given the fires down  
6       there, who still had carved out time to send me an update  
7       about what was going in LA.

8           I know at least, Ms. Simonsen, you're from LA. There are  
9       others of you I think from LA, so our prayers and thoughts go  
10      out to all of you and all your neighbors and everyone.

11          I've got family down there myself, so it's a really  
12      difficult situation.

13          We've reached out to the chief ourselves here in the  
14      Northern District and are ready to stand by and help to any --  
15      to the extent that we can.

16          So it takes -- takes all of us to get through these  
17      tragedies.

18          In any event, so the first part of your statement related  
19      to what was going on in the JCCP.

20          Does anybody else want to add anything? Is there anything  
21      else I need to know?

22          I -- I understand she's got her schedule with respect to  
23      the state equivalent of *Dauberts* on general causation.

24          Again, we're just coordinating. I don't think that  
25      there's anything that impacts this schedule, but happy to hear

1 if there's more that you want to say.

2 (No response.)

3 **MS. SIMONSEN:** Good morning, Your Honor. Ashley  
4 Simonsen, Covington & Burling, for the Meta defendants.

5 I don't think there's much to add. Judge Kuhl did confirm  
6 when we were at the JCCP CMC on Wednesday that the first-phase  
7 experts to be disclosed on April 18th will be focused on the  
8 question of general scientific medical causation.

9 **THE COURT:** Right. And it's not all causation. It's  
10 just that kind of one slice that we're all kind of focused on,  
11 is my understanding.

12 **MS. SIMONSEN:** That is my understanding as well.

13 **MS. HAZAM:** Your Honor, it is plaintiffs'  
14 understanding that the reports or the disclosures due in April  
15 which are simultaneous are for general causation and not all  
16 general liability questions, if that makes sense.

17 **THE COURT:** Yes. That's what I understood.

18 And in terms of impact on this schedule, again, I don't  
19 see that there is anything -- an impact, but it's more  
20 informative than anything else.

21 **MS. HAZAM:** Nothing for plaintiffs, Your Honor.

22 **MS. SIMONSEN:** Agreed, Your Honor.

23 **THE COURT:** Okay.

24 All right. So then the next issue on the agenda related  
25 to the administrative motion to relate the coverage cases.

1 When I -- when I read the motion and the objection, the reason  
2 that I issued the text order that I did was because I just  
3 wanted you all to talk to each other.

4 It wasn't clear that there was -- that people were talking  
5 to each other. I now have now a slew of -- of filings on the  
6 docket, which is, again, the reason why I sent another text  
7 message or text entry to everyone that I don't usually have  
8 argument on these motions.

9 We decide these motions all the time as a matter of  
10 course. And so that everybody is aware and so that I am  
11 transparent, my issue is always is this more efficient for the  
12 court generally or not? Is it related or not? Are there --  
13 is there overlap or not?

14 Those are the questions that I'm always asking. So I will  
15 look at it and I will decide and you will hear back from me.

16 **MS. SIMONSEN:** Thank you, Your Honor.

17 **THE COURT:** Okay. Thank you.

18 Next, you gave me an update on the intercircuit assignment  
19 issues regarding the cases that were actually -- that were  
20 direct filed and not actually filed in the -- in the original  
21 districts.

22 So when is that going to happen so that I can let the  
23 administrator know and we can work on trying to -- to get the  
24 intercircuit assignment process moving again?

25 **MS. HAZAM:** Your Honor, that process is being handled

1 by plaintiffs' counsel in those particular cases who I  
2 understand has been conferring with defense counsel about the  
3 appropriate stipulation. I don't have a specific date for you  
4 presently, but I believe it would be as soon as possible.

5 I don't know if defense counsel has any further  
6 information.

7 **MR. DRAKE:** Geoffrey Drake, King & Spalding, for the  
8 TikTok defendants. Good morning, Your Honor.

9 **THE COURT:** Good morning.

10 **MR. DRAKE:** I don't have any more specific update,  
11 but I agree with Ms. Hazam and we should -- why don't we  
12 aspire to get that stipulation taken care of next week and  
13 then we can get the filings done and the rest of the  
14 administrative process in movement.

15 **THE COURT:** Okay. If somebody could just -- maybe,  
16 Ms. Simonsen, if you could send a chamber's email copy --  
17 Ms. Anderson -- just so that we know it's there. And then we  
18 can take some additional steps.

19 We get so many emails, so many filings, that I would like  
20 someone to just pull it out and let us know so that we can get  
21 to and track down what we need to track down. And then we can  
22 get the process moving again.

23 **MS. SIMONSEN:** Will do, Your Honor.

24 **MR. DRAKE:** Sounds good.

25 **THE COURT:** Okay. Great. Thank you.

There was a request in the statement to narrow the bellwether discovery pools. I then saw that that request was withdrawn. Is that correct? And if so, sounds like there's nothing to discuss.

**MS. HAZAM:** Lexi Hazam for plaintiffs.

Yes, that's correct, Your Honor. That request was withdrawn, and I -- I do not believe that there is anything more to discuss at the present time.

**THE COURT:** Okay. Anything from the defense?

**MR. DRAKE:** We concur with that, Your Honor.

**THE COURT:** Okay. Great. See how fast we're moving?

(Laughter.)

**THE COURT:** Okay. I then got the update regarding discovery with the AGs. You should know that I know that I've not ruled on that motion. And it's on the list to be ruled on. I mean, I -- I don't know what else to tell you. There's lots of people who are waiting for me to do some things, and we are getting through it all as fast as we can. Okay?

Is there anybody who wants to say anything more on that issue? I'm assuming you had -- from all of the filings, you had a lot of discussion about that with Judge Kang yesterday.

**MR. SCHMIDT:** Yes, we did, Your Honor.

I'm sorry. Paul Schmidt for Meta defendants. Apologize.

I'm pleased to report we've largely resolved the document discovery issues. We think Judge Kang gave guidance that also

1 resolves the 30(b) (6) issues. But we'll see how that plays  
2 out in the depositions.

3 In terms of the docket issues, yesterday at the start of  
4 the day, we had agreements with every state in whole or in  
5 part with the exception of three agencies. That's the "in  
6 part."

7 And I think we resolved one of those, and the other two  
8 are before Judge Kang, so it's a very, very narrow dispute.

9 And that resolution includes -- relevant to some of the  
10 statements Your Honor has made in an order that Your Honor  
11 issued that includes California and the California agencies  
12 that were noncompliant, and it includes South Carolina and the  
13 South Carolina agencies that were noncompliant.

14 Your Honor had asked us to submit some requested relief as  
15 to those agencies.

16 We are -- biggest interest, of course, is getting  
17 documents, being able to progress the case. So Your Honor's  
18 order I think was really, really quite helpful in terms of us  
19 reaching that agreement, and we're happy to have reached that  
20 agreement.

21 **THE COURT:** Yeah. In terms of -- I'm sorry. Go  
22 ahead.

23 **MS. BATCHELDER:** Krista Batchelder with the state  
24 attorneys general.

25 **THE COURT:** Let me -- let me -- with the Colorado --

1           **MS. BATCHELDER:** Colorado, correct.

2           **THE COURT:** We have lots of different states, so --

3           **MS. BATCHELDER:** Sorry.

4           **THE COURT:** That's okay.

5           **MS. BATCHELDER:** So Counsel's correct that we have --

6           that the state AGs have managed to cobble together an ability  
7           to comply with the Court's September order with regards to  
8           document discovery.

9           However, the -- Magistrate Kang did rely on the issue of  
10          control in the September order in order to pull that into our  
11          issues with the 30(b) (6) depositions and we feel actually  
12          pushed that order further. And so this issue is still very  
13          much ripe, very much an issue for the coalition.

14          Since the September order just related to the document  
15          piece, six states have left the coalition, and while I'm not  
16          authorized to speak on behalf of the four states that -- that  
17          have dismissed outright, prior to that order, we were a  
18          unified coalition working towards litigating this case.  
19          Following the order, they dismissed.

20          And so it is very much a ripe issue and one that is of  
21          importance to not just the members of this coalition who are  
22          litigating the case but also the state agencies who have been  
23          pulled in as outside parties because they are aware that we  
24          have appealed and that this order is outstanding.

25           **MR. SCHMIDT:** May I say two things on that, Your

1 Honor?

2                   **THE COURT:** You may.

3                   **MR. SCHMIDT:** As to the 30(b)(6) ruling, I don't know  
4 that that's before Your Honor. But I also don't think it's  
5 accurate the way it was characterized.

6                   What I heard Judge Kang say on the 30(b)(6) issues is the  
7 states are the parties. They need to put up witnesses who can  
8 testify about their knowledge, which is a pretty unremarkable  
9 proposition.

10                  In the course of arguing that, several of the AGs, as they  
11 have repeatedly done, reasserted arguments that he had  
12 rejected, and he rejected them again.

13                  But I don't know that the 30(b)(6) ruling is -- is quite  
14 as Counsel described it.

15                  As to the six states that have -- have left, that is  
16 accurate. I think the number is four have left, and two are  
17 in the process of leaving.

18                  From our perspective, it's pretty notable that when  
19 parties bring claims and are subject to the normal obligations  
20 of discovery and they immediately abandon those claims, that  
21 says something about those claims.

22                  That, to us, is the only relevance of -- of them leaving.

23                  **THE COURT:** Okay.

24                  Like I said, I understand it's still an issue.

25                  **MS. BATCHELDER:** Yeah.

1           And if I may, Your Honor, I would point out that finding  
2 that the states are the parties is -- is exactly what  
3 Magistrate Kang did not ultimately rule on in the original  
4 September 6th order. It was primarily with regards to control  
5 of the documents. And I believe it was explicitly stated that  
6 he was not taking it so far as to find that these states, as a  
7 whole, are the party.

8           But following yesterday's hearing, he made it very clear  
9 on the record that he is finding that the states are the  
10 parties. And that is where the -- the crux of this issue  
11 lies.

12           **MR. SCHMIDT:** That's how they pled their complaint,  
13 Your Honor, in the name of the State of California, in the  
14 name of the State of Colorado.

15           **THE COURT:** Okay.

16           **MR. OLSZEWSKI-JUBELIRER:** Excuse me, Your Honor.

17           **THE COURT:** Your name, please?

18           **MR. OLSZEWSKI-JUBELIRER:** Josh Olszewski-Jubelirer  
19 for the People of the State of California.

20           Just to correct the record, the complaint with respect to  
21 the California Attorney General's Office is pled on behalf of  
22 the People of the State of California, not the state of  
23 California. This is a law enforcement action brought by the  
24 Attorney General. Excuse me.

25           On behalf of the people, not on behalf of the state or any

1 agencies.

2                   **MR. SCHMIDT:** From our perspective, the state is the  
3 people, and that's consistent with how they've pled their  
4 claims.

5                   **THE COURT:** Okay.

6                   **MR. SCHMIDT:** Thank you, Your Honor.

7                   **MR. OLSZEWSKI-JUBELIRER:** Thank you.

8                   **THE COURT:** So one further issue on that, there is a  
9 request to place the AGs on a separate trial track.

10                  And with respect to that request, I can't -- I guess -- I  
11 can't make an informed decision until I know whether there has  
12 been substantial completion or not and when substantial  
13 completion is being afforded.

14                  It seems to me that the other plaintiffs are far ahead of  
15 the states and that because of this issue, it may make sense  
16 to push the states back, but thoughts on that topic.

17                  **MR. SCHMIDT:** Yeah, we have the same -- we grapple  
18 with the same point, that we think we're already there but we  
19 don't know -- in terms of the delay we've already incurred,  
20 but we don't know how much more will be there. And so what  
21 we've been talking with the states about is trying to find  
22 some sweet spot briefing where we do have some information, as  
23 Your Honor flagged on substantial completion.

24                  We had productive conferrals on that point. What we would  
25 propose, recognizing this is an unusual briefing schedule and

1       we'll do -- we'll do whatever is useful to the Court, is that  
2       the defendants file a 15-page -- proper briefs of double --  
3       double-spaced on February 3rd, plaintiffs respond on  
4       February 7th, and we reply on February 10th with a five-page  
5       reply. And that would let it be ready for the February CMC,  
6       if that's suitable to Your Honor, or Your Honor could readily  
7       roll it till the March CMC.

8           The challenge we have is that we now have different  
9       substantial completion dates for the states. They tend to  
10      fall at the end of January or the beginning of February, so we  
11      tried to pick that as a sweet spot when we could get  
12      not-too-far-term guidance because I think the immediate thing  
13      it impacts is when we do the state depositions by also so we  
14      would have some date on substantial completion.

15           **MS. O'NEILL:** Megan O'Neill for the state AGs.

16           If I may respond, Mr. Schmidt is correct that we have  
17      agreed to a briefing schedule, but I do just want to point out  
18      a few things.

19           First, we, of course, are going to oppose Meta's request  
20      for a trial track extension. We don't think that's necessary.

21           Just want to point out that the AGs substantially  
22      completed production of documents from our offices way back  
23      several months ago, last year, in August actually.

24           And there is this difficulty of the substantial completion  
25      dates. Not all of those dates will have run by the time we

1 have proposed that briefing, so --

2           **THE COURT:** So when -- when is the -- is there a list  
3 of dates somewhere as to when substantial completion is  
4 supposed to have occurred?

5           **MS. O'NEILL:** There is, Your Honor. I don't have the  
6 docket number, but my understanding is that substantial  
7 completion for some states begins as early as today but for  
8 some, runs as late as February 10th, I believe.

9           **THE COURT:** Is that your understanding, Mr. Schmidt?

10          **MR. SCHMIDT:** Yes.

11          **THE COURT:** And can someone find me the docket so I  
12 can look at the list?

13          **MR. SCHMIDT:** It's ECF, I believe, 1495 -- 1495.1.

14          **THE COURT:** 1495.

15          **MR. SCHMIDT:** .1.

16          **THE COURT:** .1.

17          **MR. SCHMIDT:** I think it was an attachment to an  
18 order where Judge Kang annotated the parties' proposals on  
19 scheduling state to state.

20          **THE COURT:** And when are depositions supposed to have  
21 occurred?

22          **MR. SCHMIDT:** Pretty much right away, which is our  
23 concern. We're looking at depositions February and March  
24 before the April 4th deadline, which is why we will benefit  
25 from some near-term guidance because that's the first deadline

1 that's going to be a real difficulty.

2                   **MS. O'NEILL:** Your Honor, and I will just point out  
3 that, as we've said, the substantial completion dates are  
4 rolling, and we believe that the depositions can be similarly  
5 rolling. But, again, we agreed to this briefing if it is  
6 acceptable to your -- to Your Honor.

7                   **MR. SCHMIDT:** And, Your Honor, one -- one small  
8 thing. The -- because of the way the parties submitted  
9 proposed dates state by state and Judge Kang ruled on that  
10 basis, it's a bit of a burden to track through the attachments  
11 to figure out the dates.

12                  If it would help, we'll confer with the states and submit  
13 a joint filing that just lists every state and the date.

14                  **MS. O'NEILL:** Yeah.

15                  **THE COURT:** Oh, so what I was about to pull up is not  
16 a list. It's a -- it's a -- it's multiple pages.

17                  **MR. SCHMIDT:** Yeah, it's a series of -- I think some  
18 are two -- but mostly one-page submissions the parties made  
19 with proposed dates where Judge Kang annotated it state by  
20 state, so it's going to be a large number of states with  
21 annotations.

22                  If it would help, we could put in just a simple list of  
23 the dates.

24                  **THE COURT:** That would be helpful for me.

25                  And then have you negotiated the dates of depositions?

1 So, one, I need to know when the substantial completion dates  
2 are. Two, I need to know what the proposed dates are with  
3 respect to all of the various states' depositions.

4 The states argue in the CMC statement that the relevance  
5 of all of those other productions is low. And I don't know  
6 one way or the other.

7 So if -- if the relevance is marginal, then that suggests  
8 that I shouldn't move trial dates. If it's substantially much  
9 more relevant to a defense for something else, then that would  
10 impact my decision-making, so I'll also need to know that  
11 information.

12 I don't know that you're going to have all that  
13 information for me by the 3rd.

14 **MR. SCHMIDT:** We will not have -- I don't think we'll  
15 have deposition dates. What we do have also in that series of  
16 orders is meet-and-confer dates for the states regarding  
17 depositions, so it might be useful if we also included those  
18 dates on a separate sheet in the joint submission we make to  
19 the Court so the Court has that sense.

20 **THE COURT:** Okay. And then has the issue of  
21 relevance been litigated in front of Judge Kang?

22 **MR. SCHMIDT:** Yes. And he's ruled against the  
23 states.

24 **THE COURT:** Well, I've got folks over here on the  
25 right side shaking their head vociferously "no."

1                   **MR. SCHMIDT:** Okay.

2                   **MS. O'NEILL:** Your Honor, we've had disputes over  
3 search terms and custodians that have largely been agreed upon  
4 through the negotiations.

5                   But the issue of the relevance and burden has not directly  
6 been litigated.

7                   **MR. SCHMIDT:** The reason I disagree with that, Your  
8 Honor, is we have not -- granularly, that is correct --  
9 litigated those issues.

10                  On a few occasions including not yesterday but the CMC --  
11 the DMC before, a state presented the argument that I think  
12 was what Your Honor was referring to that the core or a big  
13 piece of discovery we want that these agencies will have,  
14 which is what they have to say about social media and what  
15 they have to say about alternate causes of teen mental health  
16 issues.

17                  He did not make a relevance finding, but he made a  
18 discoverability finding on that that, that was in fact  
19 discoverable and rejected the argument that discovery should  
20 be limited in that way.

21                  **MS. O'NEILL:** And, Your Honor, that is only one small  
22 part of the issues with relevance and proportionately and  
23 burden that the state AGs and agencies have with Meta's  
24 request.

25                  **THE COURT:** Okay. But all of those things are being

1 litigate or resolved by negotiation?

2                   **MS. O'NEILL:** Your Honor, you're correct. The search  
3 terms and custodians that the states -- state agencies are  
4 running have, with one exception, been agreed upon by the  
5 parties. And the last dispute was submitted to Magistrate  
6 Judge Kang yesterday.

7                   **THE COURT:** Okay.

8                   **MR. SCHMIDT:** But the point -- if I may, Your Honor,  
9 the point I would want to make is there have been broad-scale  
10 objections. The states have made, like, the alternate cause  
11 objection I -- I alluded to. They made a broad-sweeping --  
12 they get a different, much narrower time period for their  
13 discovery than they demanded from us.

14                  Judge Kang spoke to that issue yesterday against them.  
15 Some of these broad-based objections have been addressed by  
16 Judge Kang. They continue to be reasserted in different  
17 contexts, but he has spoken on some of the cross-cutting  
18 issues.

19                  **MS. O'NEILL:** I will just say that Judge Kang --  
20 Magistrate Judge Kang has not made -- even on the issue that  
21 Mr. Schmidt was discussing regarding alternative cause,  
22 discoverability, of course, is not the same thing as relevance  
23 and proportionately. And those examinations have not been  
24 made by Judge Kang. And as your -- as we have discussed, we  
25 have come to agreements among the parties and among the

1 agencies as to what kind of terms are going to be run.

2       But those particular issues have not been litigated or  
3 decided by Magistrate Judge Kang.

4           **MR. SCHMIDT:** And I agree with that. I tried to make  
5 that clear in what I said. He has ruled on discoverability,  
6 and admissibility usually comes before trial, if not earlier.

7           **THE COURT:** Okay.

8       So let me -- let me look at your list before I give you a  
9 schedule. I am currently heading into back-to-back trials and  
10 am trying to figure out whether I'm going to be able to  
11 maintain your February 12th date. Currently we are set in the  
12 morning, and I'm in trial.

13       Now, I think most trials should resolve. And sometimes  
14 they resolve on the eve of trial, as you all know. So that  
15 may -- you know, I may still see you on the 12th. If that  
16 trial does not resolve, I will not see you on the 12th.

17       So I'm looking for some, you know, alternative time to see  
18 you. But in the interim -- so I'm just giving you a heads-up  
19 that that might have to change.

20       I could advance you a week, but that doesn't really help.  
21 And -- the schedule's just really tight right now.

22       So get me that information. Let me also talk to Judge  
23 Kang. And as I'm looking -- I mean, right now, you've got a  
24 close of fact discovery April 4th.

25       Well, at least that's for -- is that for all sides?

1                   **MR. SCHMIDT:** Yes, Your Honor.

2                   **MS. O'NEILL:** Yes, Your Honor.

3                   **THE COURT:** And are the AGs going to be able to  
4 comply with the depo notice and get substantial completion  
5 prior to that date?

6                   **MS. O'NEILL:** My understanding is that all of the AGs  
7 and agencies are working toward those dates. I don't have  
8 very detailed information for each of those agencies as I  
9 stand here today, but we are working towards those dates and  
10 think that they can hold.

11                  **MR. SCHMIDT:** And on the defense side, we're  
12 understandably skeptical given where we are to date and  
13 reinforcing that as we've been negotiating, we have been told  
14 by a large number of states that if they have to do any  
15 meaningful production, they will not be able to -- to meet the  
16 dates. I think some of those states have indicated the same  
17 on the record before Judge Kang.

18                  **THE COURT:** Okay.

19                  Well, it may be that given my trial schedule, I'll have to  
20 ask him to make some recommendations because he'll be able to  
21 spend more time with you and get more of the detail. So I  
22 really hate giving dates that aren't based on some, you know,  
23 rational basis of why we're giving the dates, and I don't like  
24 to move dates unless there's a reason to do that. So I'll be  
25 in touch on the issues.

1           **MR. SCHMIDT:** Okay.

2           **MS. O'NEILL:** Thank you, Your Honor.

3           **MR. SCHMIDT:** And if it works for Your Honor, we'll  
4 get those -- and it works for the states, we'll get those  
5 lists to you Tuesday.

6           **THE COURT:** That would be great.

7           **MS. O'NEILL:** And just to clarify to make sure that I  
8 understand exactly what Your Honor would like, I have that  
9 we're -- we'll be providing a list of dates for substantial  
10 completion for each of the states, along with dates for  
11 meet-and-confers for depositions.

12          And is there anything else that would be helpful to Your  
13 Honor?

14          **THE COURT:** I -- all I'm looking for, final dates on  
15 all these discovery issues --

16          **MS. O'NEILL:** Okay.

17          **MR. SCHMIDT:** Okay.

18          **THE COURT:** -- in one chart and one place so that I  
19 don't have to create it myself.

20          **MS. O'NEILL:** Understood. We can definitely do that.

21          **THE COURT:** Okay. Terrific. All right. Great.

22          Okay. Those are all the issues that I had on our list. I  
23 know Judge Kang and I try to do back-to-back conferences to  
24 minimize your travel to the Bay Area and make things more  
25 efficient.

1           This has been a pretty short conference, but my view,  
2 there's no reason to have a long conference if one doesn't  
3 need a long conference. We all have things to do.

4           Is there anything else that anybody wants to talk about?

5           **MS. O'NEILL:** (Shakes head.)

6           **MR. SCHMIDT:** No.

7           **THE COURT:** Okay. There are -- I see someone  
8 standing.

9           There are a couple of people in the audience, I  
10 understand, who are seeking appointment to the plaintiffs' --  
11 and I'm happy to meet you if you're here.

12          Mr. Legg? Ms. Emery?

13          **MR. RUDDY:** Good morning, Your Honor. Brendan Ruddy  
14 on behalf of the People of the State of California in regards  
15 to the action -- excuse me -- *People v. TikTok, Inc., et al.*

16          We -- just because Your Honor raised the possibility of  
17 having to change the date of the February case management  
18 conference, that date is also the hearing date for a motion to  
19 remand, that -- the opposition brief has come in, and the  
20 reply brief should be filed shortly.

21          I know Your Honor typically rules on the paper for those  
22 matters, and I understand Your Honor's schedule. The people  
23 just wanted to remind Your Honor that that is on the calendar  
24 for that date and are anxious to return to state court.

25          **THE COURT:** Okay. Thanks for the reminder.

1                   **MR. RUDDY:** Yeah.

2                   **MR. WARREN:** Good morning, Your Honor. Previn Warren  
3 for the personal injury and school district plaintiffs.

4                   Following up on Mr. Ruddy's comment, I believe February  
5 12th is also the hearing date for certain motions brought  
6 under 1292.

7                   Plaintiffs would have no objection to having those heard,  
8 you know, at the next case management conference, whenever  
9 that gets scheduled.

10                  **THE COURT:** Yeah, those ones I knew were set.

11                  Again, if I can keep it on, then I intend to keep it on.  
12 It's just a question of -- just a question of whether or not  
13 I'm in trial.

14                  **MR. WARREN:** Understood. Thank you, Your Honor.

15                  **THE COURT:** Okay.

16                  Mr. Legg here? You want to come forward.

17                  And then let's see, who else do I have? Ms. Emery.

18                  **MR. LEGG:** Morning, Your Honor.

19                  **THE COURT:** Good morning.

20                  **MR. LEGG:** Matt Legg. It's nice to meet you, and I'm  
21 here to answer any questions you might have.

22                  **THE COURT:** Well, I didn't have any questions, but  
23 you are here. Do you want to add anything to your  
24 application?

25                  I understand that -- that the chairs are -- are supportive

of elevating you to the -- to the leadership.

**MR. LEGG:** Yep. Nothing to add. This case is obviously important to me, and I'm fully committed to it and -- and appreciate being here.

**THE COURT:** And then my -- let's see. You're working on which of the various teams?

**MR. LEGG:** I'm sorry, Your Honor?

**THE COURT:** I was just looking back at your -- at your application. So you're from Baltimore.

**MR. LEGG:** I'm from Baltimore, and I represent 2 of the 12 bellwether school districts.

**THE COURT:** Right. Okay.

And how is Mr. Warren and Ms. Hazam doing in your view?

**MR. LEGG:** I think they're -- they are doing a remarkable job.

(Laughter.)

**THE COURT:** Okay.

Ms. Emery, how about you?

**MS. EMERY:** Nothing to add to my application, Your Honor. I'm just very grateful to you last year -- school district committee. I valued that experience immensely. I've enjoyed work on this litigation and look forward to continuing to do so regardless of how you rule.

Just very much appreciate that. And echo the compliments to both Mr. Warren and Ms. Hazam as well as to Mike Weinkowitz

1 and -- of course, my [sic] name is blanking -- Melissa -- on  
2 how they've been running the school district side of things.

3           **THE COURT:** And, you know, I had a conversation with  
4 the coleads yesterday about the -- about the applications.  
5 And perhaps it was -- I didn't draft my order properly. I  
6 always felt like the school district leadership group was part  
7 of the steering committee membership. But I guess there's  
8 some uncertainty about that, so I will clarify it.

9           I've always felt like you're a part of it but will make it  
10 explicit that that subcommittee is in fact part of the -- part  
11 of the plaintiffs' steering committee membership. So thank  
12 you for all you're doing.

13           And you'll hear from me on -- on all the applications, but  
14 you'll hear back from me soon.

15           **MS. EMERY:** Thank you, Your Honor.

16           **MR. LEGG:** Thank you, Your Honor.

17           **THE COURT:** You're welcome.

18           **MR. STEIN:** Your Honor, Josh Stein from Boies  
19 Schiller Flexner on behalf of the *Abraham* plaintiff.

20           Mr. Boies was planning to attend today. We informed  
21 Ms. Hazam that he was hoping to attend to answer any questions  
22 the Court may have.

23           Ms. Hazam responded that the Court typically informs  
24 applicants if they do have any questions. And -- and with  
25 that information, he is -- is not attending today, as you can

1 see. But he's happy to answer any questions that you might  
2 have directly.

3           **THE COURT:** I appreciate hearing that. I -- like,  
4 obviously didn't see him on the list. That's why I called up  
5 the two that I did see. There are a number of people. I  
6 have, you know, a three-page single-spaced document here with  
7 everybody's names and the applications, et cetera. And not  
8 everybody who's seeking reappointment or appointment is here.

9           I'm probably not inclined at this point to -- to include  
10 Mr. Boies and the Schiller firm -- Boies Schiller firm in the  
11 leadership for many of the same reasons I indicated with  
12 respect to the class action.

13           So, you know, I'm still thinking about it, but the answer  
14 is probably no.

15           **MR. STEIN:** Understood, Your Honor.

16           I think with the dates coming up in February and April  
17 with respect to discovery, our chief concern is being bound  
18 within the four corners of that discovery after it's completed  
19 without any sort of meaningful participation.

20           **THE COURT:** Well, the -- that's all the more reason  
21 to say no, which is then you'll have the time to litigate  
22 that. And you can litigate it within the context of your own  
23 lawsuit.

24           **MR. STEIN:** I appreciate that, Your Honor. And --  
25 and we'd be happy to help alongside leadership but also do it

the way you just described.

**THE COURT:** Okay.

**MR. STEIN:** Thank you, Your Honor.

**THE COURT:** Thank you.

All right. Anything else?

**MS. HAZAM:** Your Honor, Lexi Hazam for plaintiffs.

I just wanted to make the Court aware that there were some applicants who could not attend today. One of them, Felicia Craig, is available via Zoom should you wish to speak to her.

Just informing you of that.

**THE COURT:** Okay.

**MS . HAZAM:** Thank you.

**THE COURT:** Thank you.

Okay. Open mic. Anybody else want to come to the microphone? No?

All right. Well, then I'm going to take this extra time  
and go work on more orders --

(Laughter.)

**THE COURT:** -- so that I can get to your orders. And appreciate everything that everyone's doing.

Be safe. And we'll see you in about a month.

(Proceedings were concluded at 9:38 A.M.)

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2                   **CERTIFICATE OF REPORTER**  
3

4                   I certify that the foregoing is a correct transcript  
5 from the record of proceedings in the above-entitled matter.  
6 I further certify that I am neither counsel for, related to,  
7 nor employed by any of the parties to the action in which this  
8 hearing was taken, and further that I am not financially nor  
9 otherwise interested in the outcome of the action.

10  
11                     
12

Raynee H. Mercado, CSR, RMR, CRR, FCRR, CCRR

13                   Friday, January 24, 2025  
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